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	Acting United States Attorney			
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6	Attorney for Plaintiff			
7	UNITED STATES DISTRICT COURT			
<i>'</i>	DISTRICT OF NEVADA			
8	-0U0-			
9	UNITED STATES OF AMERICA,	2:16-mj-00723-NJK		
10	Plaintiff,	Stipulation to Continue the Preliminary Hearing		
11	vs.	(Fourth Request)		
12	RAUL CASAREZ,			
13	Defendant.			
14	IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE,			
15	Acting United States Attorney, and CRISTINA D. SILVA, Assistant United States Attorney,			
16	counsel for the United States of America, and REBECCA A. LEVY, Assistant Federal Public			
17	Defender, counsel for Defendant, that the preliminary hearing date in the above-captioned matter			
18	currently scheduled for March 24, 2017, at 4:00 p.m., be vacated and continued for not less than			
19	fourteen (14) days, to a date and time to be set by this Honorable Court.			
20	This stipulation is entered into for the following reasons:			
21	1. The parties request a continuance so they may continue to engage in plea			
22	negotiations. Additional time is needed to complete the process.			
23	2. The parties agree to the continuance	e.		

1	The Defendant is in custody but does not object to the continuance.		
2	4. Additionally, denial of this request for continuance could result in a miscarriage of		
3	justice.		
4	5. The additional time requ	ested herein is not sought for purposes of delay, but to allow	
5	for a potential pre-indictment resolution of the case.		
6	6. The additional time requested by this stipulation, is allowed, with the Defendant's		
7	consent under the Federal Rules of Procedure 5.1(d).		
8	7. This is the <u>fourth</u> request for a continuation of the preliminary hearing.		
9	DATED this 23 <sup>rd</sup> day of March, 2017.		
10		Respectfully submitted,	
11	RENE L. VALLADARES Federal Public Defender	STEVEN W. MYHRE Acting United States Attorney	
12	//s//	//s//	
13	REBECCA A. LEVY Counsel for Defendant	CRISTINA D. SILVA Assistant United States Attorney	
14	RAUL CASAREZ		
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4	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA		
5	-0U0-		
6	UNITED STATES OF AMERICA, 2:16-mj-00723-NJK		2:16-mj-00723-NJK
7	Plaintiff,		
8	vs.		ORDER
9	RAUL CASAREZ,		
10		Defendant.	
11	ORDER		
12	Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court		
13	finds that:		
14	1.	The parties request a continuance	so they may continue to engage in plea negotiations.
15	Additional time is needed to complete the process.		
16	2. The parties agree to the continuance.		
17	3. The Defendant is in custody but does not object to the continuance.		
18	4. Additionally, denial of this request for continuance could result in a miscarriage of		
19	justice.		
20	5. The additional time requested herein is not sought for purposes of delay, but to allow		
21	for a potential pre-indictment resolution of the case.		
22	6. The additional time requested by this stipulation, is allowed, with the Defendant's		
23	consent under the Federal Rules of Procedure 5.1(d).		
24			3

7. This is the <u>fourth</u> request for a continuation of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

## CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the Defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

## ORDER

TT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for March 24, 2017, at the hour of 4:00 p.m., be vacated and continued to April 17, 2017, at the hour of 4:00 p.m., in courtroom 3C.

DATED 24th day of March, 2017.

THE HONORABLE NANCY J. KOPPE UNITED STATES MAGISTRATE JUDGE